



## TEMPORARY OUTDOOR DINING POLICIES AND PROCEDURES

The City has developed the following policies and procedures for temporary outdoor dining in order to facilitate the re-opening of restaurants during required social distancing protocols.

### The City will temporarily allow greater flexibility in temporary outdoor dining to include:

- Use of shopping center common areas,
- Use of on-street and off-street parking areas,
- Waiver of permit processing fees for establishment of new temporary outdoor dining areas, and
- Possible temporary use of public streets and right-of-way on a limited basis.

### Recommendations:

- Work with property management to determine possible areas for temporary outdoor dining.
- Consider creating shared dining areas for diners from multiple restaurants in common areas such as plazas or parking lots.
- Ensure that areas can be made safe for dining by using signage and barriers, and temporarily modifying traffic flow in the center.
- Maintain a three-foot accessible path of travel at all times.
- Follow all health orders and guidance for restaurants provided by the Governor's Office <https://covid19.ca.gov/pdf/guidance-dine-in-restaurants.pdf> and County of Orange.
- Review all applicable non-City regulations, such as requirements for alcoholic beverage sales.



For more information, contact Derek Bingham at (949) 635-1800 x6705 or [dbingham@cityofrsm.org](mailto:dbingham@cityofrsm.org).

### HOW TO OBTAIN APPROVAL FOR TEMPORARY OUTDOOR DINING:

- Submit a **Temporary Outdoor Dining Application** and simple site plan to the City's Planning Division
- Technical assistance for preparation of the application is available; call (949) 635-1800 x6705
- Visit the City's website <http://www.cityofrsm.org/253/Planning>

*After approval, the temporary dining area will be subject to City inspection to confirm safety, circulation, signage, and ADA accessibility.*





# TEMPORARY OUTDOOR BUSINESS APPLICATION

## Filing Instructions for Temporary Outdoor Business Application

The following instructions are intended to provide the necessary information for processing your application in the quickest manner possible. Please note that the Applicant must submit the completed application and all required materials as described in this application to the Planning Division at City Hall located at 22112 El Paseo, Rancho Santa Margarita, California 92688. Email submittals will also be accepted. If you have any questions regarding this application and the submittal requirements, please contact the Planning Division at 949-635-1800 extension 6701.

On July 6, 2020 the City Manager/Director of Emergency Services issued Executive Orders providing Interim Procedures to Allow for the Operation of Certain Outdoor Business Activities during the COVID-19 Emergency; the procedures are hereby incorporated by reference. The temporary procedures related to outdoor business are authorized until December 30, 2020 or fourteen days after the locally declared emergency pursuant to Proclamation No. 20-03-16-01 is terminated (whichever occurs first), unless such Permit is revoked earlier by order of the Development Services Director.

## Submittal Requirements

Please submit the following plans and information to obtain a Temporary Outdoor Business Permit:

1. A completed Temporary Outdoor Business Application with property owner authorization. A letter from the property owner may substitute for a signature under Section 3 of the application. See further property owner requirements under 9A and 9B below.
2. A legible site plan that includes a north arrow, basic dimensions, path of travel/exiting, and seating legend (minimum 2 hardcopies 8.5" x 11" size).
3. Include on the site plan the outdoor area, proximity to parking and/or traffic lanes.
4. A Letter of Justification that states the following: "I, [state business name], is seeking approval of a Temporary Outdoor Business Permit to provide XX number of tables and seats for a temporary outdoor business area located at [state location]. We agree to abide by all federal, State, and county requirements and understand that these requirements may change at any time."
5. A conceptual signage plan that shows the proposed location and dimensions for all temporary signage.
6. Applicants proposing to utilize public property, including any City-owned property and/or the public right-of-way, shall obtain an Encroachment Permit from the Public Works Department/City Engineer. Please contact the Public Works Department

at 949-635-1800 ext. 6504 for the Encroachment Permit Application and submittal requirements.

As a condition of receiving an administrative Site Development Permit, the permittees shall agree to defend, indemnify, and hold harmless the City and its employees from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the issuance of the administrative Site Development Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by the Applicant, City, and/or the parties initiating or bringing such proceeding.

# City of Rancho Santa Margarita Temporary Outdoor Business Application

Planning Application No.: TBP \_\_\_\_\_

Business Name: \_\_\_\_\_

---

## SECTION 1 – Project Location

Site Address: \_\_\_\_\_

Shopping center name: \_\_\_\_\_

Restaurant name(s): \_\_\_\_\_

Temporary Outdoor Business Area Size (Square Footage): \_\_\_\_\_

Number of parking spaces to be utilized for outdoor area: \_\_\_\_\_

Total number of parking spaces in the center: \_\_\_\_\_

---

## SECTION 2 – Applicant Data

Application Date \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Phone No. \_\_\_\_\_

Email \_\_\_\_\_

Print Name \_\_\_\_\_ Print Title \_\_\_\_\_

Applicant Signature \_\_\_\_\_

---

**SECTION 3 – Property Owner Authorization.** I am the owner of record, or his/her authorized representative of the property, which is the subject of this application and I approve of the action requested.

Property Owner of Record \_\_\_\_\_

Print Name \_\_\_\_\_ Print Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Firm Name \_\_\_\_\_ Phone \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_